

LEGISLATURE OF NEBRASKA
NINETY-NINTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 424

Introduced by Speaker Brashear, 4; at the request of the Governor

Read first time January 13, 2005

Committee: Appropriations

A BILL

1 FOR AN ACT relating to appropriations; to define terms; to
2 appropriate funds for capital construction and property
3 acquisition as prescribed; to state intent; to require
4 program statements; to provide an operative date; and to
5 declare an emergency.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. DEFINITION OF APPROPRIATION PERIOD.

2 For purposes of this act and any other legislative bill
3 passed by the Ninety-ninth Legislature, First or Second Session,
4 which appropriates funds, FY2004-05 means the period July 1, 2004,
5 through June 30, 2005, FY2005-06 means the period July 1, 2005,
6 through June 30, 2006, FY2006-07 means the period July 1, 2006,
7 through June 30, 2007, FY2007-08 means the period July 1, 2007,
8 through June 30, 2008, and FY2008-09 means the period July 1, 2008,
9 through June 30, 2009.

10 Sec. 2. APPROPRIATION LANGUAGE.

11 There are hereby appropriated, for FY2005-06 and
12 FY2006-07, the sums set forth in this act to each agency for each
13 program from the respective funds for capital construction
14 projects, land acquisition, lease-purchase arrangements, and major
15 equipment acquisition, except as otherwise appropriated.

16 Sec. 3. REAPPROPRIATION OF BALANCE, FY2005-06 to
17 FY2006-07.

18 In addition to the appropriations set forth in this act,
19 there are hereby reappropriated all unexpended appropriation
20 balances existing on June 30, 2006, for FY2006-07 to the respective
21 agencies, programs, and funds listed in this act, except as
22 otherwise provided in this act.

23 Sec. 4. NEBRASKA INFORMATION SYSTEM MANUAL DEFINITIONS.

24 The definitions contained in the Nebraska Information
25 System Manual, and any amendments thereto, on file with the Clerk
26 of the Legislature are hereby adopted by the Legislature as the
27 definitions for this act.

28 Sec. 5. DRAWING AND PAYING WARRANTS.

1 The Director of Administrative Services shall draw
2 warrants upon the proper fund in the state treasury for an amount
3 not to exceed the appropriations set forth in this act upon
4 presentation of proper documentation. The State Treasurer shall
5 pay the warrants out of the appropriate funds.

6 Sec. 6. It is the intent of the Legislature that the
7 appropriations for capital facilities follow an orderly and
8 reasonable process based upon defined and documented need and an
9 analysis of the utilization of existing facilities.

10 The biennial appropriations contained in this act
11 covering FY2005-06 and FY2006-07, which have been designated for
12 planning, require from the agency a complete program statement
13 prepared in accordance with the Procedural Manual for Capital
14 Construction as approved by the state building division of the
15 Department of Administrative Services. Projects directly related
16 to program continuation such as fire and life safety, maintenance,
17 utility improvements, handicapped access, and master planning
18 require a statement of needs prepared in accordance with the
19 manual. An appropriation for drawings and construction may be
20 recommended only after submission of an acceptable program
21 statement or statement of needs on or before September 15 to the
22 state building division, the budget division of the Department of
23 Administrative Services, and the Legislative Fiscal Analyst.

24 Program statements that have been submitted prior to
25 FY2005-06 shall be updated if necessary and resubmitted during the
26 period July 1, 2005, to September 1, 2005. Program statements that
27 have been submitted prior to FY2006-07 shall be updated if
28 necessary and resubmitted during the period July 1, 2006, to

1 September 1, 2006, by agency priority. Such priority shall be
 2 subject to final modification by the governing authority of each
 3 agency on or before September 15, 2006.

4 Sec. 7. It is the intent of the Legislature that
 5 agencies should construct or renovate facilities in such a manner
 6 as to provide the greatest cost-effective energy savings possible.
 7 Design criteria emphasizing efficiency, functionality, and energy
 8 conservation shall be reflected in program statements, schematic
 9 design documents, design development documents, and construction
 10 documents. The state building division of the Department of
 11 Administrative Services and the State Energy Office shall provide
 12 technical assistance to the state agencies, upon request, to assist
 13 them in providing for energy-efficient new or renovated facilities.

14 Sec. 8. AGENCY NO. 25 -- DEPARTMENT OF HEALTH AND HUMAN
 15 SERVICES

16 Program No. 922 - Eastern Nebraska Veterans' Home

| 17 | | FY2005-06 | FY2006-07 | FUTURE |
|----|-------------------|-----------|-----------|--------|
| 18 | NEBRASKA CAPITAL | | | |
| 19 | CONSTRUCTION FUND | 2,025,556 | -0- | -0- |
| 20 | FEDERAL FUND est. | 3,761,747 | -0- | -0- |
| 21 | PROGRAM TOTAL | 5,787,303 | -0- | -0- |

22 The Legislature hereby acknowledges and reaffirms the
 23 directive made in Laws 2003, LB 406, section 8, which authorizes
 24 the Department of Health and Human Services to construct a new
 25 veterans' home in eastern Nebraska with appropriation to this
 26 program. The total cost of this project from the Nebraska Capital
 27 Construction Fund and federal funding sources shall not exceed
 28 \$21,060,367.

1 There is included in the appropriation to this program
 2 for FY2005-06 \$2,025,556 from the Nebraska Capital Construction
 3 Fund and an estimated \$3,761,747 from federal funds to complete the
 4 project.

5 The Nebraska Capital Construction Funds appropriated to
 6 this project may be used as a match for available federal or other
 7 funds. Nothing in this section shall be construed so as to
 8 prohibit the use of any private, local, or internally reallocated
 9 funds as a match for any available federal or other funds.

10 Sec. 9. AGENCY NO. 25 -- DEPARTMENT OF HEALTH AND HUMAN
 11 SERVICES

| | | | | |
|----|---|-----------|-----------|--------|
| 12 | Program No. 923 - "R" Building West Wing Renovation | | | |
| 13 | | FY2005-06 | FY2006-07 | FUTURE |
| 14 | NEBRASKA CAPITAL | | | |
| 15 | CONSTRUCTION FUND | 1,939,863 | -0- | -0- |
| 16 | PROGRAM TOTAL | 1,939,863 | -0- | -0- |

17 The Department of Health and Human Services is hereby
 18 authorized to renovate the "R" Building West Wing on the Lincoln
 19 Regional Center with the appropriation to this program. The total
 20 cost of this project from the Nebraska Capital Construction Fund
 21 shall not exceed \$1,939,863. Nothing in this section shall be
 22 construed so as to prohibit the use of any private, local, or
 23 internally reallocated funds to supplement the Nebraska Capital
 24 Construction Funds appropriated in this section.

25 Sec. 10. AGENCY NO. 25 -- DEPARTMENT OF HEALTH AND HUMAN
 26 SERVICES

| | | | | |
|----|--------------------------------|-----------|-----------|--------|
| 27 | Program No. 924 - Parking Lots | | | |
| 28 | | FY2005-06 | FY2006-07 | FUTURE |

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1 NEBRASKA CAPITAL

2 CONSTRUCTION FUND 104,059 -0- -0-

3 PROGRAM TOTAL 104,059 -0- -0-

4 The appropriation contained in this program is intended
 5 for the resurfacing of parking lots at the Grand Island Veterans'
 6 Home.

7 Sec. 11. AGENCY NO. 27 -- DEPARTMENT OF ROADS

8 Program No. 901 - Facility Improvements

| 9 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------|-----------|-----------|--------|
| 10 | CASH FUND | 6,863,335 | 6,605,930 | -0- |
| 11 | PROGRAM TOTAL | 6,863,335 | 6,605,930 | -0- |

12 The Department of Roads is hereby authorized to make
 13 improvements statewide. There is included in the appropriation to
 14 this program for FY2005-06 \$6,863,335 cash funds and for FY2006-07
 15 \$6,605,930 cash funds to make such improvements.

16 It is estimated that the following projects be undertaken
 17 with funds appropriated to this program for FY2005-06:

| | | |
|----|--|-----------|
| 18 | District Operations Center -- Omaha | 1,200,000 |
| 19 | Ofc Equip-Stor Bldg New Yard -- Gering | 4,372,860 |
| 20 | Distr 1 Hdqtrs Ofc Addition -- Lincoln | 690,475 |
| 21 | Bulk Salt Store 2006 -- Statewide | 600,000 |

22 It is intended that the following projects be undertaken
 23 with funds appropriated to this program for FY2006-07:

| | | |
|----|--|-----------|
| 24 | District Oper Ctr-Office Add -- Grand Island | 413,000 |
| 25 | Office Add -- Hartington | 254,905 |
| 26 | Equip Storage Bldg -- O'Neill | 500,000 |
| 27 | Distr 1 Hdqtrs Shop Add -- Lincoln | 709,025 |
| 28 | Office Addition -- Holdrege | 1,300,000 |

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| | | |
|---|--------------------------------------|-----------|
| 1 | Office-Shop-Equip storage -- Wallace | 1,000,000 |
| 2 | District Headquarters -- Norfolk | 1,129,000 |
| 3 | Equipment Storage Bldg -- Greenwood | 700,000 |
| 4 | Bulk Salt Store 2007 -- Statewide | 600,000 |

5 Sec. 12. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

6 Program No. 900 - State Park System Facility Improvements

| 7 | | FY2005-06 | FY2006-07 | FUTURE |
|---|---------------|-----------|-----------|--------|
| 8 | CASH FUND | 100,000 | 75,000 | -0- |
| 9 | PROGRAM TOTAL | 100,000 | 75,000 | -0- |

10 The Game and Parks Commission is hereby authorized to
 11 maintain and improve basic facilities of the state park system.
 12 There is included in the appropriation to this program for
 13 FY2005-06 \$50,000 cash funds and for FY2006-07 \$75,000 cash funds
 14 for this purpose.

15 The Game and Parks Commission is hereby authorized to
 16 develop new, maintain, and improve boating facilities. There is
 17 included in the appropriation to this program for FY2005-06 \$50,000
 18 cash funds for this purpose. It is the intent of the Legislature
 19 that the Game and Parks Commission shall apply for and make maximum
 20 use of federal funding on all capital construction projects which
 21 are eligible for such assistance.

22 Sec. 13. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

23 Program No. 901 - State Parks Facilities Deferred
 24 Maintenance

| 25 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------|-----------|-----------|--------|
| 26 | CASH FUND | 250,000 | 250,000 | -0- |
| 27 | PROGRAM TOTAL | 250,000 | 250,000 | -0- |

28 The Game and Parks Commission is hereby authorized to

1 make deferred repair and maintenance improvements at facilities in
 2 the state park system, and replace and upgrade facilities in the
 3 state park system, with the appropriation to this program.

4 Sec. 14. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

5 Program No. 902 - Trail Development Assistance

| | FY2005-06 | FY2006-07 | FUTURE |
|-----------------|-----------|-----------|--------|
| 6 CASH FUND | 140,000 | 140,000 | -0- |
| 8 PROGRAM TOTAL | 140,000 | 140,000 | -0- |

9 The Game and Parks Commission is hereby authorized to
 10 carry out the provisions of the Trail Development Assistance Act
 11 with the funds appropriated from the Trail Development Assistance
 12 Fund in this section.

13 Sec. 15. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

14 Program No. 960 - Land Acquisition for Park and
 15 Recreation Lands

| | FY2005-06 | FY2006-07 | FUTURE |
|------------------|-----------|-----------|--------|
| 16 CASH FUND | 100,000 | 100,000 | -0- |
| 18 PROGRAM TOTAL | 100,000 | 100,000 | -0- |

19 The Game and Parks Commission is hereby authorized to
 20 acquire real property for park and recreation lands statewide with
 21 the appropriation to this program.

22 Sec. 16. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

23 Program No. 967 - Improvements to State Parks

| | FY2005-06 | FY2006-07 | FUTURE |
|------------------|-----------|-----------|--------|
| 24 CASH FUND | 435,750 | 94,500 | -0- |
| 26 PROGRAM TOTAL | 435,750 | 94,500 | -0- |

27 The Game and Parks Commission is hereby authorized to
 28 make state parks improvements statewide with the appropriation to

1 this program.

2 It is estimated that the following projects be undertaken
3 with funds appropriated to this program for FY2005-06:

| | | |
|---|---------------------------------------|---------|
| 4 | Swimming Pool & Bath House -- Chadron | 55,000 |
| 5 | Contingency-State Parks -- State | 20,750 |
| 6 | Group Lodge -- Ponca | 295,000 |
| 7 | Ponca Cabin Dev -- Ponca | 40,000 |
| 8 | Shop Maintenance -- Fort Robinson | 25,000 |

9 It is estimated that the following projects be undertaken
10 with the funds appropriated to this program for FY2006-07:

| | | |
|----|----------------------------------|--------|
| 11 | Bldg. 38 Lodge -- Crawford | 25,000 |
| 12 | Mahoney Improvements | 40,000 |
| 13 | Contingency-State Parks -- State | 4,500 |
| 14 | Ponca Cabin Dev -- Ponca | 25,000 |

15 Sec. 17. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

16 Program No. 969 - Improvements to State Recreation Areas

| 17 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------|-----------|-----------|--------|
| 18 | CASH FUND | 73,500 | 131,000 | -0- |
| 19 | PROGRAM TOTAL | 73,500 | 131,000 | -0- |

20 The Game and Parks Commission is hereby authorized to
21 make state recreation area improvements statewide with the
22 appropriation to this program.

23 It is estimated that the following projects be undertaken
24 with funds appropriated to this program for FY2005-06:

| | | |
|----|------------------------------------|--------|
| 25 | Contingency-Rec Areas -- Statewide | 3,500 |
| 26 | Central Office -- Fremont SRA | 45,000 |
| 27 | Marina Complex -- Crofton | 25,000 |

28 It is estimated that the following projects be undertaken

1 with funds appropriated to this program for FY2006-07:

| | | |
|---|---------------------------------------|--------|
| 2 | Contingency-Rec Areas -- Statewide | 11,000 |
| 3 | Lake Ogallala-Campgrounds -- Ogallala | 30,000 |
| 4 | Summit-Campground -- Summit SRA | 30,000 |
| 5 | Lake Maloney-Cmpgrnd -- North Platte | 60,000 |

6 Sec. 18. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

7 Program No. 971 - Improvements to Wildlife Management
8 Areas

| 9 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------|-----------|-----------|--------|
| 10 | CASH FUND | 462,000 | -0- | -0- |
| 11 | PROGRAM TOTAL | 462,000 | -0- | -0- |

12 The Game and Parks Commission is hereby authorized to
13 make improvements statewide to basic facilities and the basic
14 habitat at wildlife management areas. There is included in the
15 appropriation to this program for FY2005-06 \$462,000 cash funds for
16 this purpose.

17 Sec. 19. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

18 Program No. 972 - Improvements to Administrative
19 Facilities

| 20 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------|-----------|-----------|--------|
| 21 | CASH FUND | 100,000 | -0- | -0- |
| 22 | PROGRAM TOTAL | 100,000 | -0- | -0- |

23 The Game and Parks Commission is hereby authorized to
24 make administrative facilities improvements to buildings and
25 parking lots statewide with the appropriation to this program.

26 Sec. 20. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

27 Program No. 973 - Improvements to Fish Production
28 Facilities

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| | FY2005-06 | FY2006-07 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 555,000 | -0- | -0- |
| PROGRAM TOTAL | 555,000 | -0- | -0- |

The Game and Parks Commission is hereby authorized to make fisheries improvements statewide with the appropriation to this program.

Sec. 21. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 975 - Emergency Repairs to State Park System Areas

| | FY2005-06 | FY2006-07 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 100,000 | 100,000 | -0- |
| PROGRAM TOTAL | 100,000 | 100,000 | -0- |

The Game and Parks Commission is hereby authorized to make emergency repairs to facilities in the state park system with the appropriation to this program, made from the Nebraska Outdoor Recreation Development Cash Fund.

Sec. 22. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 976 - Emergency Repairs - Fish and Wildlife Facilities

| | FY2005-06 | FY2006-07 | FUTURE |
|---------------|-----------|-----------|--------|
| CASH FUND | 100,000 | -0- | -0- |
| PROGRAM TOTAL | 100,000 | -0- | -0- |

The Game and Parks Commission is hereby authorized to make emergency repairs to hatcheries, wildlife management areas, refuges, and other facilities related to fish and wildlife management with the appropriation to this program.

Sec. 23. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 981 - Aquatic Habitat Enhancement and

1 Restoration

| | | | | |
|---|---------------|-----------|-----------|--------|
| 2 | | FY2005-06 | FY2006-07 | FUTURE |
| 3 | CASH FUND | 2,000,000 | 1,500,000 | -0- |
| 4 | PROGRAM TOTAL | 2,000,000 | 1,500,000 | -0- |

5 The Game and Parks Commission is hereby authorized to
 6 enhance and rehabilitate aquatic habitat statewide with the
 7 appropriation to this program made from the Nebraska Aquatic
 8 Habitat Fund.

9 It is estimated that projects at the following sites will
 10 be addressed with the appropriation to this program: Lake
 11 Ogallala, Sherman Reservoir, Glenn Cunningham Reservoir, Crescent
 12 Lake, Cottonwood Lake, and Walnut Grove Park Pond.

13 Sec. 24. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

14 It is the intent of the Legislature that the Game and
 15 Parks Commission shall apply for and make maximum use of federal
 16 funding on all capital construction projects which are eligible for
 17 such assistance. It is the intent of the Legislature that all
 18 funds appropriated to the Game and Parks Commission for capital
 19 construction projects shall only be spent for capital projects.

20 Sec. 25. AGENCY NO. 46 -- DEPARTMENT OF CORRECTIONAL
 21 SERVICES

22 Program No. 916 - Phase II Renovation - Nebraska
 23 Correctional Center for Women - York

| | | | | |
|----|-------------------|-----------|-----------|--------|
| 24 | | FY2005-06 | FY2006-07 | FUTURE |
| 25 | NEBRASKA CAPITAL | | | |
| 26 | CONSTRUCTION FUND | 1,403,000 | 781,000 | -0- |
| 27 | PROGRAM TOTAL | 1,403,000 | 781,000 | -0- |

28 The Department of Correctional Services is hereby

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1 authorized to renovate existing facilities at the Nebraska
2 Correctional Center for Women in York with the appropriation to
3 this program. The total project cost shall not exceed \$2,184,000.

4 There is included in the appropriation to this program
5 for FY2005-06 \$1,403,000 from the Nebraska Capital Construction
6 Fund to begin construction.

7 There is included in the appropriation to this program
8 for FY2006-07 \$781,000 from the Nebraska Capital Construction Fund
9 to complete construction.

10 Sec. 26. AGENCY NO. 46 -- DEPARTMENT OF CORRECTIONAL
11 SERVICES

12 Program No. 918 - "YY" Building Renovation

| 13 | | FY2005-06 | FY2006-07 | FUTURE |
|----|-------------------|-----------|-----------|--------|
| 14 | NEBRASKA CAPITAL | | | |
| 15 | CONSTRUCTION FUND | 700,000 | -0- | -0- |
| 16 | PROGRAM TOTAL | 700,000 | -0- | -0- |

17 The Department of Correctional Services is hereby
18 authorized to renovate the "YY" Building in Lincoln with the
19 appropriation to this program. The total project cost shall not
20 exceed \$700,000.

21 There is included in the appropriation to this program
22 for FY2005-06 \$700,000 from the Nebraska Capital Construction Fund
23 to complete construction.

24 Sec. 27. AGENCY NO. 47 -- NEBRASKA EDUCATIONAL
25 TELECOMMUNICATIONS COMMISSION

26 Program No. 901 - Satellite System

| 27 | | FY2005-06 | FY2006-07 | FUTURE |
|----|--|-----------|-----------|--------|
|----|--|-----------|-----------|--------|

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| | | | | |
|---|---------------------|---------|---------|---------|
| 1 | STATE BUILDING FUND | 100,000 | 100,000 | 200,000 |
| 2 | PROGRAM TOTAL | 100,000 | 100,000 | 200,000 |

3 The Legislature hereby acknowledges and reaffirms the
 4 directive made by Laws 2000, LB 1217, section 32, which authorizes
 5 the Nebraska Educational Telecommunications Commission to replace
 6 Network 3 equipment with the appropriation to this program. This
 7 project should be completed in FY2008-09.

8 It is estimated that in FY2005-06 and again in FY2006-07
 9 one satellite transmitter, four mediamax codecs, and three CM701
 10 modems will be replaced, with the appropriation to this program.
 11 However, expenditures are not limited to these specific pieces of
 12 equipment.

13 Sec. 28. AGENCY NO. 47 -- NEBRASKA EDUCATIONAL
 14 TELECOMMUNICATIONS COMMISSION

15 Program No. 911 - Digitization (DTV) Equipment and
 16 Satellite Bandwidth Replacement

| | | | | |
|----|---------------------|-----------|-----------|------------|
| 17 | | FY2005-06 | FY2006-07 | FUTURE |
| 18 | STATE BUILDING FUND | 5,700,000 | 5,700,000 | 16,092,327 |
| 19 | PROGRAM TOTAL | 5,700,000 | 5,700,000 | 16,092,327 |

20 The Legislature hereby acknowledges and reaffirms the
 21 directive made in Laws 1999, LB 878, section 30, which authorizes
 22 the Nebraska Educational Telecommunications Commission (NETC) to
 23 digitize the NETC transmission signal and to replace satellite
 24 transponder capacity. This project should be completed in
 25 FY2008-09.

26 (1) The commission shall not pledge the credit of the
 27 State of Nebraska for the payment of any sum owing on account of
 28 such contract or contracts in subsections (1) and (2) of this

1 section, except that there may be pledged for payment of any such
2 contract or contracts any appropriations made by the Legislature
3 for such purpose. No contract or contracts shall be entered into
4 pursuant to subsections (1) and (2) of this section without prior
5 approval by resolution of the commission. The principal amount of
6 the contract or contracts financing the digitization equipment
7 project estimated to be retired by appropriations made to this
8 program is \$23,500,000 and may include an estimated \$2,000,000 of
9 digital upgrades or repairs to translators and an estimated
10 \$2,200,000 of heating, ventilating, and air conditioning upgrades,
11 and repairs associated with the installation of digital equipment
12 upgrades at the Terry M. Carpenter Educational Telecommunications
13 Building in Lincoln. The digitization equipment project may
14 include the cost for collocation of transmission towers. The
15 Legislature acknowledges that the total amount of the digitization
16 production equipment project has not been provided for and
17 encourages the commission to aggressively pursue alternative
18 sources of funding for the remainder of the digitization production
19 equipment project. The amount of the digitization equipment
20 project not funded through this program is estimated at
21 \$12,936,905. The principal amount of the contract or contracts
22 financing the satellite transponder capacity replacement project is
23 estimated at \$18,944,000.

24 (2) On or before August 31, 2010, any funds appropriated
25 from the State Building Fund for the digitization equipment project
26 and the satellite transponder capacity replacement project held in
27 the state treasury and held by the trustee which are not necessary
28 to meet the terms of any long-term financing agreements entered

1 into pursuant to this section shall be transferred to the General
2 Fund.

3 (3) The commission may expend funds appropriated to
4 Program 533 to meet incidental administrative expenses associated
5 with the digitization equipment project and the satellite
6 transponder capacity replacement project. The commission may also
7 expend federal funds and private gifts and donations for the same
8 purposes.

9 (4) It is the intent of the Legislature that the Nebraska
10 Educational Telecommunications Commission submit quarterly reports
11 with regard to the costs and associated funding of the digitization
12 equipment project as contained in Program 911, according to the
13 procedures established by the State's Chief Information Officer
14 (CIO).

15 Sec. 29. AGENCY NO. 47 -- NEBRASKA EDUCATIONAL
16 TELECOMMUNICATIONS COMMISSION

17 Program No. 913 - Carpenter Telecommunications Center
18 Renovation

| | | | | |
|----|---------------------|-----------|-----------|-----------|
| 19 | | FY2005-06 | FY2006-07 | FUTURE |
| 20 | STATE BUILDING FUND | 1,738,671 | 1,738,671 | 3,477,342 |
| 21 | PROGRAM TOTAL | 1,738,671 | 1,738,671 | 3,477,342 |

22 The Legislature hereby acknowledges and reaffirms the
23 directive made by Laws 2001, First Special Session, LB 1, section
24 15, which authorizes the Nebraska Educational Telecommunications
25 Commission to renovate the Terry M. Carpenter Telecommunications
26 Center. Funds are provided to upgrade the heating, ventilating,
27 and air conditioning systems; to upgrade the mechanical and
28 electrical systems; to address fire and life safety problems; and

1 to address handicapped accessibility problems. The funding also
2 provides renovation of some areas of the building that are
3 currently of limited use and function, to include network
4 operations space and dressing room reconfiguration; minor
5 renovation of studios 3 and 4; and level 2 infill over studio 2 and
6 the north side of the facility. The total project cost shall not
7 exceed \$13,189,605, exclusive of financing costs.

8 In addition to amounts appropriated in this section from
9 the State Building Fund for FY2005-06 and FY2006-07, it is intended
10 that \$1,738,671 be appropriated to this program from the State
11 Building Fund for each fiscal year including FY2007-08 through
12 FY2008-09. The commission may enter into long-term financing
13 contracts with any person, firm, or corporation for purposes of the
14 Carpenter Telecommunications Center Renovation. The payment of
15 costs of the renovation may occur over a contract period not to
16 extend beyond June 30, 2009. The commission shall not pledge the
17 credit of the State of Nebraska for the payment of any sum owing on
18 account of such contracts, except that there may be pledged for
19 payment of any such contracts any appropriations made by the
20 Legislature for such purpose. No contracts shall be entered into
21 pursuant to this section without prior approval by resolution of
22 the commission. The commission may schedule contractual payments
23 on a monthly, quarterly, or semiannual basis consistent with the
24 state fiscal year. On or before August 31, 2009, any funds
25 appropriated from the State Building Fund for the Carpenter
26 Telecommunications Center Renovation held in the state treasury and
27 held by any trustee which are not necessary to meet the terms of
28 any long-term financing agreements entered into pursuant to this

1 section shall be transferred to the General Fund.

2 Sec. 30. AGENCY NO. 50 -- BOARD OF TRUSTEES OF THE
3 NEBRASKA STATE COLLEGES

4 Program No. 920 - Board Facilities Fee Fund Projects

| 5 | | FY2005-06 | FY2006-07 | FUTURE |
|---|---------------------|-----------|-----------|-----------|
| 6 | STATE BUILDING FUND | 400,000 | 400,000 | 800,000 |
| 7 | REVOLVING FUND est. | 952,426 | 952,426 | 1,904,852 |
| 8 | PROGRAM TOTAL | 1,352,426 | 1,352,426 | 2,704,852 |

9 The Legislature hereby acknowledges and reaffirms the
10 directive made by Laws 1998, LB 1100, sections 6 and 7, which
11 authorizes the Board of Trustees of the Nebraska State Colleges to
12 complete various renewal and renovation projects on all state
13 college campuses with the appropriation to this program.

14 Sec. 31. AGENCY NO. 50 -- BOARD OF TRUSTEES OF THE
15 NEBRASKA STATE COLLEGES

16 Program No. 998 - Peru State College Library/Old Gym
17 Renovation and Wayne State College Power Plant Construction

| 18 | | FY2005-06 | FY2006-07 | FUTURE |
|----|---------------------|-----------|-----------|-----------|
| 19 | STATE BUILDING FUND | 2,009,360 | 2,009,360 | 4,018,720 |
| 20 | PROGRAM TOTAL | 2,009,360 | 2,009,360 | 4,018,720 |

21 The Legislature hereby acknowledges and reaffirms the
22 directive made in Laws 1999, LB 878, section 33, which authorizes
23 the Board of Trustees of the Nebraska State Colleges to design,
24 renovate, and construct as is necessary to provide quality library
25 stack, circulation, classroom, and office space in the combined and
26 connected Library and Old Gym facilities on the Peru State College
27 campus. The total project cost to be supported from state funds is
28 estimated as \$6,630,419. Nonstate tax funds may be used to

1 supplement the project.

2 The Board of Trustees of the Nebraska State Colleges is
3 hereby authorized to design and construct a plant to produce steam
4 and chilled water to meet heating and cooling requirements of the
5 Wayne State College campus. Should it prove to be in the greater
6 long-term financial interest of the State of Nebraska and Wayne
7 State College, the Board of Trustees is alternatively authorized to
8 purchase and improve an existing steam and chilled water production
9 facility to meet heating and cooling requirements of the Wayne
10 State College campus. Prior to exercising its authority to
11 undertake either alternative under provisions of this section, the
12 Board of Trustees shall secure the approval of the Governor. The
13 total project cost to be supported from state funds is estimated as
14 \$3,803,877. Nonstate tax funds may be used to supplement the
15 project.

16 In addition to amounts appropriated in this section from
17 the State Building Fund for FY2005-06 and FY2006-07, it is intended
18 that \$2,009,360 be appropriated to this program from the State
19 Building Fund for each fiscal year including FY2007-08 through
20 FY2008-09. The Board of Trustees may enter into long-term
21 financing contracts with any person, firm, or corporation for
22 purposes of the Peru State College Library/Old Gym Renovation and
23 Addition project and the Wayne State College Power Plant
24 Construction project. The payment of costs of the renovation may
25 occur over a contract period not to extend beyond June 30, 2009.
26 The Board of Trustees shall not pledge the credit of the State of
27 Nebraska for the payment of any sum owing on account of such
28 contracts, except that there may be pledged for payment of any such

1 contracts any appropriations made by the Legislature for such
 2 purpose. No contracts shall be entered into pursuant to this
 3 section without prior approval by resolution of the Board of
 4 Trustees. The Board of Trustees may schedule contractual payments
 5 on a monthly, quarterly, or semiannual basis consistent with the
 6 state fiscal year. On or before August 31, 2009, any funds
 7 appropriated from the State Building Fund for the projects held in
 8 the state treasury and held by any trustee which are not necessary
 9 to meet the terms of any long-term financing agreements entered
 10 into pursuant to this section shall be transferred to the General
 11 Fund.

12 Sec. 32. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA

13 Program No. 906 - System Facilities Fee Fund Projects

| | | | | |
|----|---------------------|------------|------------|------------|
| 14 | | FY2005-06 | FY2006-07 | FUTURE |
| 15 | STATE BUILDING FUND | 5,500,000 | 5,500,000 | 11,000,000 |
| 16 | CASH FUND est. | 5,200,000 | 5,200,000 | 15,600,000 |
| 17 | PROGRAM TOTAL | 10,700,000 | 10,700,000 | 26,600,000 |

18 The Legislature hereby acknowledges and reaffirms the
 19 directive made by Laws 1998, LB 1100, sections 3 and 4, which
 20 authorizes the Board of Regents of the University of Nebraska to
 21 complete various renewal and renovation projects on all university
 22 campuses with the appropriation to this program.

23 Sec. 33. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA

24 Program No. 915 - Agriculture Field Lab Fund

| | | | | |
|----|---------------|-----------|-----------|--------|
| 25 | | FY2005-06 | FY2006-07 | FUTURE |
| 26 | CASH FUND | 8,000 | 8,500 | -0- |
| 27 | PROGRAM TOTAL | 8,000 | 8,500 | -0- |

28 All receipts of the Agricultural Field Laboratory Fund

1 are hereby appropriated to the Board of Regents of the University
 2 of Nebraska for the University of Nebraska-Lincoln for FY2005-06
 3 and FY2006-07. The unexpended balances in the fund on June 30,
 4 2005, and on June 30, 2006, are hereby reappropriated.

5 Sec. 34. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA

6 Program No. 937 - Agricultural Research Land - University
 7 of Nebraska-Lincoln

| | FY2005-06 | FY2006-07 | FUTURE |
|------------------|-----------|-----------|--------|
| 8 CASH FUND | 24,000 | 25,000 | -0- |
| 10 PROGRAM TOTAL | 24,000 | 25,000 | -0- |

11 The Board of Regents of the University of Nebraska is
 12 hereby authorized to sell, pursuant to law and on terms and
 13 conditions to be prescribed by the board, real estate which has
 14 been used for agricultural research by the University of Nebraska
 15 when such functions are transferred to other lands more suitable
 16 for agricultural research programs.

17 All proceeds from the sale of such real estate along with
 18 any unexpended balances existing on June 30, 2005, and on June 30,
 19 2006, together with accrued interest, if any, are hereby
 20 appropriated to the Board of Regents of the University of Nebraska
 21 to the Agricultural Research Land Fund to be used exclusively for
 22 the acquisition, development, and improvement of other real estate
 23 for the agricultural research programs of the University of
 24 Nebraska.

25 Sec. 35. AGENCY NO. 51 -- UNIVERSITY OF NEBRASKA

26 Program No. 970 - Research Center of Excellence II

| | FY2005-06 | FY2006-07 | FUTURE |
|--------------|-----------|-----------|--------|
| 28 CASH FUND | 2,000,000 | 2,000,000 | -0- |

LB 424

LB 424

| | | | | |
|---|-------------------|------------|------------|-----|
| 1 | FEDERAL FUND est. | 2,000,000 | 2,000,000 | -0- |
| 2 | TRUST FUND est. | 21,700,000 | 36,300,000 | -0- |
| 3 | PROGRAM TOTAL | 25,700,000 | 40,300,000 | -0- |

4 The Legislature hereby acknowledges and reaffirms the
5 directive made by Laws 2004, LB 1089, section 11, which authorizes
6 the Board of Regents of the University of Nebraska to construct the
7 Research Center of Excellence II at the University of Nebraska
8 Medical Center, subject to the receipt of any required project
9 approval from the Coordinating Commission for Postsecondary
10 Education as found in subsection (10) of section 85-1414. The
11 total project cost is estimated at \$74,000,000.

12 The state support contained in this section is primarily
13 intended for the bio-terrorism laboratories contained in the
14 project.

15 In order to begin construction on the project contained
16 in this program, and before any of the Cash Fund appropriation
17 contained in this program may be committed or disbursed, there
18 shall be a commitment of at least \$30,000,000 from private sources
19 to the project and all necessary waivers from the federal
20 government for the use of an estimated \$6,000,000 of Homeland
21 Security Funds for this project shall be received. Existence of
22 such commitment shall be conveyed in written form to the budget
23 administrator of the Department of Administrative Services, at
24 which time the Cash Fund appropriation may be released.

25 The University of Nebraska Medical Center may spend up to
26 a total of \$2,000,000 from the \$2,000,000 Cash Fund appropriations
27 appropriated for FY2004-05, from the reappropriated unspent Cash
28 Fund appropriation balance available on June 30, 2004, and from the

1 Cash Fund appropriation contained in this section, after all
2 necessary waivers from the federal government for the use of an
3 estimated \$6,000,000 of Homeland Security Funds for this project
4 have been received without spending any Trust Fund appropriation.
5 After \$2,000,000 is spent from the Cash Fund appropriations for
6 this program, the budget administrator shall not allow further
7 expenditures from the Cash Fund appropriations unless any further
8 expenditure from the Cash Fund appropriations is matched by an
9 amount of expenditures from the Trust Fund appropriations contained
10 in this section which is equal to twice the further expenditures
11 made from the Cash Fund appropriations.

12 In order to accomplish the project authorized by this
13 section, the Board of Regents of the University of Nebraska may
14 enter into contracts with any person, firm, or corporation
15 providing for the implementation of any such project of the
16 University of Nebraska and providing for the long-term payment of
17 the cost of such project from the Federal Fund, Cash Fund, and
18 Trust Fund appropriations and future appropriation estimates
19 contained in this program. In no case shall any such contract be
20 entered into prior to the date seventy-five percent of the funding
21 contained in this section is assured. In no case shall any such
22 contract extend for a period beyond July 15, 2012, nor shall any
23 such contract exceed the repayment capabilities implicit in the
24 funding streams authorized in this section.

25 The Board of Regents of the University of Nebraska shall
26 not pledge the credit of the State of Nebraska for the payment of
27 any sum owing on account of such contract, except that there may be
28 pledged for the payment of any such contract any appropriation

1 specifically made by the Legislature for such purpose, together
2 with such funds of the Board of Regents of the University of
3 Nebraska as the board determines. No contract shall be entered
4 into pursuant to this section without prior approval by resolution
5 by the Board of Regents. The Board of Regents may also convey,
6 lease, or lease back all or any part of the project authorized by
7 this section and the land on which such project is situated to such
8 person, firm, or corporation as the Board of Regents may contract
9 with pursuant to this section to facilitate the long-term payment
10 of the cost of such project. Any such conveyance or lease shall
11 provide that when the cost of such project has been paid, together
12 with interest and other costs thereon, such project and the land on
13 which such project is located shall become the property of the
14 Board of Regents.

15 The Board of Regents of the University of Nebraska is
16 authorized to make expenditures for the purposes stated in this
17 section from investment income balances in any fund created under
18 the authority provided for in any contract or contracts authorized
19 by this section. Any appropriated amounts and amounts designated
20 or matched by the Board of Regents under this section in excess of
21 amounts required to meet debt service and any interest earnings
22 derived from reserve funds or any other funds created under the
23 authority provided for in any contract or contracts authorized by
24 this section shall be accumulated and applied toward early
25 retirement of debt as authorized under any indenture or other
26 contract entered into by the Board of Regents as authorized by this
27 section.

28 Sec. 36. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE

1 SERVICES

2 Program No. 901 - State Capitol Improvements

| | | | | |
|---|---------------------|-----------|-----------|-----------|
| 3 | | FY2005-06 | FY2006-07 | FUTURE |
| 4 | STATE BUILDING FUND | 500,000 | 500,000 | 2,000,000 |
| 5 | PROGRAM TOTAL | 500,000 | 500,000 | 2,000,000 |

6 (1) The State Capitol Administrator is hereby authorized
 7 to undertake State Capitol Building projects identified within the
 8 Master Plan for the Conservation and Restoration of the Nebraska
 9 State Capitol. Prior to expending any amounts appropriated in this
 10 section, the State Capitol Administrator shall identify projects
 11 planned to be undertaken with such amounts and shall submit such
 12 plans to the Nebraska Capitol Commission for review.

13 (2) In addition to amounts appropriated in this section
 14 for FY2005-06 and FY2006-07, it is intended that \$500,000 be
 15 appropriated from the State Building Fund for this program for
 16 FY2007-08 and each fiscal year thereafter through FY2010-11.

17 Sec. 37. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE
 18 SERVICES

19 Program No. 913 - Parking Expansion

| | | | | |
|----|----------------|-----------|-----------|-----------|
| 20 | | FY2005-06 | FY2006-07 | FUTURE |
| 21 | REVOLVING FUND | 323,304 | 323,304 | 2,990,562 |
| 22 | PROGRAM TOTAL | 323,304 | 323,304 | 2,990,562 |

23 The Legislature hereby acknowledges and reaffirms the
 24 directive made by Laws 1996, LB 1189, section 53, which authorized
 25 the Department of Administrative Services to construct two
 26 additional levels of parking to the state's east garage in Lincoln
 27 and one additional level of parking to the state's south garage in
 28 Lincoln, along with related repair and restoration items, and which

1 authorized the state building division of the Department of
 2 Administrative Services to enter into contracts with the city of
 3 Lincoln or any person, firm, or corporation in order to construct
 4 such additional parking and to proceed with financing the project
 5 for a period not to exceed twenty years.

6 There is included in the appropriation to this program
 7 for FY2005-06 \$323,304 from the Capitol Buildings Parking Revolving
 8 Fund and for FY2006-07 \$323,304 from the Capitol Buildings Parking
 9 Revolving Fund to be applied toward retirement of obligations
 10 entered into to finance the projects. These obligations are
 11 scheduled to continue through September of 2016.

12 Sec. 38. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE
 13 SERVICES

14 Program No. 920 - Executive Office Building and Parking
 15 Facility Purchase

| | FY2005-06 | FY2006-07 | FUTURE |
|----------------------------------|-----------|-----------|-----------|
| 17 STATE BUILDING REVOLVING FUND | 210,764 | 210,764 | 1,812,571 |
| 18 PROGRAM TOTAL | 210,764 | 210,764 | 1,812,571 |

19 The Legislature hereby acknowledges and reaffirms the
 20 directive made by Laws 1999, LB 878, section 54, which authorized
 21 the Department of Administrative Services to purchase the Executive
 22 Office Building and the parking facility located at the corner of
 23 13th and 'K' Streets in Lincoln, Nebraska. The department was
 24 further authorized to enter into a contract or contracts with such
 25 entity or entities as necessary to facilitate financing the
 26 purchase.

27 In addition to the amounts appropriated in this section,
 28 it is intended that \$210,764 be appropriated from the State

1 Building Revolving Fund for this program for each fiscal year
 2 thereafter until the amount financed to facilitate purchase of
 3 these premises has been fully amortized.

4 Sec. 39. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE
 5 SERVICES

6 Program No. 923 - Nebraska State Capitol Environs
 7 District Property Purchase

| | FY2005-06 | FY2006-07 | FUTURE |
|-----------------------------|-----------|-----------|--------|
| 9 CAPITOL BUILDINGS PARKING | | | |
| 10 REVOLVING FUND | 220,000 | -0- | -0- |
| 11 PROGRAM TOTAL | 220,000 | -0- | -0- |

12 The Department of Administrative Services is hereby
 13 authorized to acquire for fair market value or less, property
 14 located within the Nebraska State Capitol Environs District, at the
 15 Northwest corner of 17th and "J" streets, lots 10, 11, and 12.

16 Sec. 40. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE
 17 SERVICES

18 Program No. 939 - State Capitol Complex

| | FY2005-06 | FY2006-07 | FUTURE |
|------------------------|-----------|-----------|--------|
| 20 STATE BUILDING FUND | 2,440,000 | 2,800,000 | -0- |
| 21 PROGRAM TOTAL | 2,440,000 | 2,800,000 | -0- |

22 The Legislature hereby acknowledges and reaffirms the
 23 directive made by Laws 1997, LB 386, section 55, which authorized
 24 the state building division of the Department of Administrative
 25 Services and the Task Force for Building Renewal to administer the
 26 State Capitol Masonry Restoration project.

27 There is included in the appropriation to this program
 28 for FY2005-06 \$2,440,000 from the State Building Fund to continue

1 the project. There is included in the appropriation to this
 2 program for FY2006-07 \$2,800,000 from the State Building Fund to
 3 continue the project.

4 Sec. 41. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE
 5 SERVICES

6 Program No. 940 - Task Force for Building Renewal

| | FY2005-06 | FY2006-07 |
|-----------------|------------|------------|
| 8 CASH FUND | 18,629,457 | 18,594,457 |
| 9 PROGRAM TOTAL | 18,629,457 | 18,594,457 |

10 The Legislature hereby acknowledges and reaffirms the
 11 directive made by section 77-2602, which is to place amounts from
 12 the special privilege tax on cigarettes in the Building Renewal
 13 Allocation Fund for FY1997-98 and continuing each fiscal year until
 14 all the purposes of the Deferred Building Renewal Act have been
 15 fulfilled.

16 The appropriation to this program is for the purpose of
 17 carrying out the provisions of the Deferred Building Renewal Act
 18 which includes deferred repair, fire and life safety projects, and
 19 compliance with the federal Americans with Disabilities Act (ADA)
 20 of 1990. Funds may also be spent on projects related to energy
 21 conservation. There is hereby appropriated any available federal
 22 funds, plus investment income thereon, for this program for
 23 FY2005-06 and FY2006-07. There is included in the appropriation to
 24 this program for FY2005-06 an amount not to exceed \$200,000 cash
 25 funds and for FY2006-07 an amount not to exceed \$200,000 cash funds
 26 to conduct maintenance, life safety, ADA, and energy conservation
 27 seminars, to develop preventive maintenance programs, and to
 28 perform roof scans and other testing related to the completion of

1 the projects.

2 The funds appropriated in this section for actual
3 deferred repair, fire and life safety, compliance with the federal
4 Americans with Disabilities Act of 1990, and energy conservation
5 shall be matched by federal, private, and agency General, Cash, and
6 Revolving Funds as determined by the Task Force for Building
7 Renewal.

8 None of the funds appropriated to this program shall be
9 used for operating budget compliance with the federal Americans
10 with Disabilities Act of 1990. Expenditures for deferred repair,
11 fire and life safety projects, and compliance with the federal
12 Americans with Disabilities Act of 1990 may be made through the
13 same program on the Allotment Status Report in the Nebraska
14 Information System, except that expenditures for deferred repair,
15 fire and life safety projects, and compliance with the federal
16 Americans with Disabilities Act of 1990 should each be kept
17 separate by subprogram on the Budget Status Report in the Nebraska
18 Information System or through the use of the Grant Project Status
19 Report or some other accounting mechanism.

20 Sec. 42. There is hereby appropriated, unless otherwise
21 specified, for FY2005-06 and for FY2006-07 from undisbursed
22 balances existing on June 30, 2005, and on June 30, 2006,
23 respectively, to each agency for each program from the respective
24 funds for capital construction as follows:

25 (1) Agency No. 25 -- Department of Health and Human
26 Services

27 Program Nos. 901, 905, 907, 916, 918, 920, 922, 931,
28 and 940.

1 (2) Agency No. 27 -- Department of Roads

2 Program No. 901, except that the unobligated
3 appropriation balance for projects that have been completed shall
4 lapse and shall not be included in any reappropriation.

5 (3) Agency No. 31 -- Military Department

6 Program Nos. 905, 906, and 925.

7 (4) Agency No. 33 -- Game and Parks Commission

8 Program Nos. 900, 901, 902, 919, 924, 955, 960, 961,
9 966, 967, 968, 969, 971, 972, 973, 975, 976, 977, 979, 981, and
10 983, except that for FY2005-06 only the undisbursed balances
11 existing on June 30, 2005, for the following projects shall be
12 reappropriated, all other unobligated June 30, 2005, balances shall
13 lapse:

14 Program No. 900 -- Calamus Reservoir, Lake
15 McConaughy, Yankee Hill, and Southwest Reservoirs and any other
16 Motorboat Access Facilities projects, less the Denney Lake project
17 unobligated Cash Fund and federal appropriations authority.

18 Program No. 901 -- State Facilities Deferred
19 Maintenance, less \$163,341 of unobligated Cash Fund appropriations
20 authority from the Mahoney Roof project and from other Deferred
21 Maintenance projects

22 Program No. 902 -- Trail Development Assistance

23 Program No. 919 -- Political Subdivisions Aid

24 Program No. 924 -- Wildlife Land Acquisitions and
25 Improvements, less \$4,491 of unobligated Federal Fund appropriation
26 authority

27 Program No. 955 -- Youth Outdoor Skill Training less
28 \$1,009,066 of unobligated Cash Fund appropriations authority

1 Program No. 960 -- Park and Recreation Land
2 Acquisition, less \$14,072 of unobligated Cash Fund appropriations
3 authority
4 Program No. 961 -- Lewis and Clark Commemorative
5 Special Projects
6 Program No. 966 -- State Recreational Trails
7 Development
8 Program No. 967 -- State Parks Improvements, less
9 \$57,360 of unobligated Cash Fund appropriations
10 Program No. 968 -- State Historical Parks, less
11 \$89,100 of unobligated Cash Fund appropriations authority
12 Program No. 969 -- State Recreation Areas, less
13 \$403,837 of unobligated Cash Fund appropriations authority
14 Program No. 971 -- Wildlife Management Areas -
15 Improvements
16 Program No. 972 -- Administrative Facilities -
17 Improvements, less \$221,418 of unobligated Cash Fund appropriations
18 authority
19 Program No. 973 -- Fish production, less \$1,105,750
20 of unobligated Cash Fund appropriations authority
21 Program No. 975 -- Emergency Repairs - Park System
22 Program No. 976 -- Emergency Repairs to Fish and
23 Wildlife Facilities
24 Program No. 977 -- Nongame and Endangered Species
25 Acquisition and Development
26 Program No. 979 -- Cowboy Trail - Emergency Repairs
27 and Deferred Maintenance, provided that deferred repair projects
28 may be addressed from the unobligated construction appropriations

1 in this program

2 Program No. 981 -- Acquatic Habitat - Improvements,
3 less \$3,750 of unobligated Federal Funds appropriations authority

4 Program No. 983 -- Buffalo Soldier barracks

5 (5) Agency No. 46 -- Department of Correctional Services

6 Program Nos. 915, 916, and 918.

7 (6) Agency No. 47 -- Nebraska Educational
8 Telecommunications Commission

9 Program Nos. 901, 905, 906, 911, 913, and 919.

10 (7) Agency No. 50 -- Board of Trustees of the Nebraska
11 State Colleges

12 Program Nos. 901, 902, 905, 920, 934, 940, 941, 993,
13 996, and 998, and any additional construction programs
14 administratively created relating to the Board of Trustees of the
15 Nebraska State Colleges and its campuses which are funded through
16 cash funds, federal funds, revolving funds, or private gifts or
17 donations.

18 (8) Agency No. 51 -- University of Nebraska

19 Program Nos. 901, 902, 906, 913, 914, 915, 917, 918,
20 923, 933, 936, 937, 938, 942, 943, 944, 945, 946, 947, 948, 949,
21 950, 954, 955, 957, 958, 961, 963, 965, 966, 967, 969, 970, 974,
22 981, 982, 984, 988, 990, 994, 996, 997, and 998, and any additional
23 construction programs administratively created relating to the
24 University of Nebraska-Lincoln, the University of Nebraska at
25 Omaha, the University of Nebraska Medical Center, the University of
26 Nebraska at Kearney, the Nebraska College of Technical Agriculture
27 at Curtis, and the University of Nebraska Central Administration
28 which are funded through cash funds, federal funds, revolving

1 funds, or private gifts or donations.

2 (9) Agency No. 65 -- Department of Administrative
3 Services

4 Program Nos. 901, 913, 920, 921, 932, 938, 939, and
5 940.

6 Appropriations to program numbers pertaining to funding
7 for the Deferred Building Renewal Act are hereby reappropriated.

8 Sec. 43. FEDERAL FUNDS.

9 Any federal funds not otherwise appropriated, any
10 additional federal funds made available to the credit of the State
11 Treasurer, and any unexpended balances in federal funds on the
12 operative date of this act are hereby appropriated and
13 reappropriated to the agency and project for which the funds were
14 allocated by the federal government.

15 Sec. 44. GIFTS AND BEQUESTS.

16 Any gifts or bequests made available to the State of
17 Nebraska for any purpose or purposes, together with the income
18 thereof, shall be allocated to the expending agency designated by
19 the donor or, if none is designated by such donor, by the Governor.
20 No matching of state funds shall be required as a condition to
21 accept any gift or bequest. All gifts or bequests of personal
22 property in excess of \$10,000 shall be approved by the Governor
23 before acceptance, and all gifts or devises of real property in
24 excess of \$10,000 to be used for state purposes shall be approved
25 by the Governor and the Legislature before acceptance.

26 Expenditures from gifts or bequests may be expended
27 through any cash fund accounts, in which case the actual amount of
28 the gift or bequest is hereby appropriated to the expending agency

1 for the purpose or purposes designated by the donor and in addition
2 to the amounts appropriated in this act.

3 This section shall not apply to the University of
4 Nebraska.

5 Sec. 45. NEBRASKA CAPITAL CONSTRUCTION FUND.

6 The receipts and transfers for FY2005-06 and FY2006-07
7 inuring to the Nebraska Capital Construction Fund together with any
8 amounts held in account by the State Treasurer on June 30, 2005,
9 are hereby credited to the fund.

10 Sec. 46. FUND LAPSES AND TRANSFERS.

11 The State Treasurer shall make the following transfers
12 between funds in the amounts indicated. Unless otherwise noted,
13 transfers for FY2005-06 shall occur on July 1, 2005, or as soon
14 thereafter as administratively possible, and transfers for
15 FY2006-07 shall occur on July 1, 2006, or as soon thereafter as
16 administratively possible. All agencies with administrative
17 responsibilities for these funds shall assist the State Treasurer
18 as needed in implementing the transfers.

19 (1) Transfers for FY2005-06 shall include: From the
20 General Fund to the Trail Development Assistance Fund: \$140,000.

21 (2) Transfers for FY2006-07 shall include: From the
22 General Fund to the Trail Development Assistance Fund: \$140,000.

23 Sec. 47. The Ninety-ninth Legislature acknowledges that
24 Article III, section 22, of the Constitution of Nebraska provides
25 that each Legislature shall make appropriations for the expenses of
26 the government. Consistent with this provision, any appropriations
27 enacted by prior Legislatures for fiscal years beginning after June
28 30, 2005, are null and void unless specifically reaffirmed by this

1 Legislature.

2 Sec. 48. This act becomes operative on July 1, 2005.

3 Sec. 49. Since an emergency exists, this act takes
4 effect when passed and approved according to law.